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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION OF: Juhl  
SERIAL NO: 10/539,338 GROUP ART UNIT: Unassigned  
FILED: June 15, 2005 EXAMINER: Unassigned  
CUSTOMER NO.: 27162  
FOR: Method of Creating a Collection of Biological Specimens, and  
Collection of Specimens  
ATTY/DKT NO.: 411000-135

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR:

Pursuant to 37 C.F.R. §1.56(a), Applicant(s) hereby cite(s) the enclosed documents listed on the attached copy of Form PTO-1449 which are believed to be material to the patentability of the above-identified application.

This Information Disclosure Statement is filed in accordance with the paragraph of 37 CFR §1.97 indicated below:

☒ §1.97(b) This Information Disclosure Statement is filed:

- (1) Within three months of the filing date of a national application; OR
- (2) Within three months of the date of entry of the national stage of an international application; OR
- (3) Before the mailing of a first Office Action on the merits.  
No fee or statement is required.

☐ §1.97(c) This Information Disclosure Statement is filed after the period specified in paragraph (b) above, but before the mailing date of either:

- (1) A Final Action or under 37 CFR §1.113; OR
- (2) A Notice of Allowance under 37 CFR §1.311; AND

is accompanied by either: (check one)

☐ The statement as specified in 37 CFR §1.97(e) set out below;  
OR

☐ The fee of \$180.00 under 37 CFR §1.17(p).

\_\_\_§1.97(d) This Information Disclosure Statement is filed after the mailing date of either:

- (1) a Final Action or under 37 CFR §1.113; OR
- (2) A Notice of Allowance under 37 CFR §1.311;

BUT filed on or before payment of the Issue Fee; AND  
is accompanied by:

- (1) The statement as specified in 37 CFR §1.97(e) as set forth below; AND
- (2) Petition is hereby made under 37 CFR §1.97(d) for consideration of this Information Disclosure Statement; AND,
- (3) The petition fee of \$180.00 set out in 37 CFR §1.17(i).

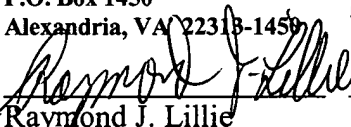
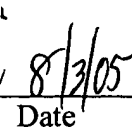
\_\_\_§1.97(e) The undersigned Attorney hereby states that:

\_\_\_ each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of this Information Disclosure Statement;

or

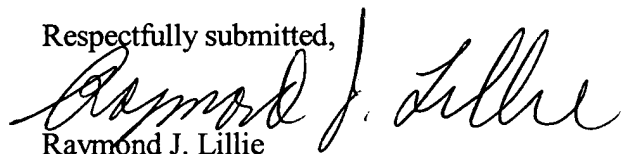
\_\_\_ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, or to the knowledge of the undersigned Attorney after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing date of the Information Disclosure Statement.

The Commissioner is authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 03-0678.

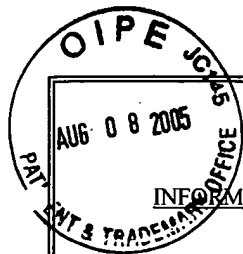
<b>FIRST CLASS CERTIFICATE</b>	
I hereby certify that this correspondence is being deposited today with the U.S. Postal Service as First Class Mail in an envelope addressed to:	
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 Raymond J. Lillie	 8/3/05 Date

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Respectfully submitted,



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Form PTO-1449

## INFORMATION DISCLOSURE STATEMENT

Atty. Docket:

411000-135

Serial No.:

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Applicant: Juhl

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Group: Unassigned

## U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Name	Class	Sub-Class	Filing Date
	A1	5,747,265	May 5, 1998	Parsons, et al.			
	B1	5,753,444	May 19, 1998	Wu, et al.			
	C1	US 2002/0102570	August 1, 2002	Baker			

## FOREIGN PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Country	Class	Sub-Class	Translation
	D1	WO87/06621	5 November 1987	WO			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	E1	EP 1054059A1	22 November 2000	EPO			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	F1	WO01/49881	12 July 2001	WO			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	G1	WO02/37119	10 May 2002	WO			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	H1	Kononen, et al., Tissue Microarrays for High-Throughput Molecular Profiling of Tumor Specimens, Nature Medicine, Vol. 4, Number 7, July 1998
	I1	Alon, et al., Broad Patterns of Gene Expression Revealed by Clustering Analysis of Tumor and Normal Colon Tissues Probed by Oligonucleotide Arrays, Proc. Natl. Acad. Sci. USA, Vol. 96, pp. 6745-6750, June 1999
	J1	Notterman, et al., Transcriptional Gene Expression Profiles of Colorectal Adenoma, Adenocarcinoma, and Normal Tissue Examined by Oligonucleotide Arrays, Cancer Research 61, pp. 3124-3130, April 1, 2001
	K1	Sorlie, et al., Gene Expression Patterns of Breast Carcinomas Distinguish Tumor Subclasses With Clinical Implications, PNAS, September 11, 2001, Vol. 98, No. 19, pp.10869-10874
	L1	Van't Veer, et al., Gene Expression Profiling Predicts Clinical Outcome of Breast Cancer, Nature, Vol. 415, January 31, 2002
	M1	Nielson, et al. Molecular Characterisation of Soft Tissue Tumours: A Gene Expression Study, The Lancet, Vol. 359, April 13, 2002
	N1	Zou, et al. Application of cDNA Microarrays to Generate a Molecular Taxonomy Capable of Distinguishing Between Colon Cancer and Normal Colon, Oncogene, 2002, 21, pp. 4855-4862
	O1	Dash, et al., Changes in Differential Gene Expression Because of Warm Ischemia Time of Radical Prostatectomy Specimens, Am J Pathol, 2002 Nov; 161 (5): 1743-8
	P1	Spruessel, et al. Tissue Ischemia Time Affects Gene and Protein Expression Patterns Within Minutes Following Surgical Tumor Excision, BioTechniques, Vol 36, No. 6 (2004)

Examiner:

Date Considered:

EXAMINER:

Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.